

From: Bruce Gee
To: Microsoft ATR
Date: 1/27/02 2:43am
Subject: Microsoft Settlement

Dear Judge Kollar-Kotally,

I am writing this email because I oppose the proposed final judgment between Microsoft and the Department of Justice.

Like most people using computers, I am a user of many Microsoft products. I have great appreciation for their products - they are generally very good. And I admire much of what Microsoft has done in advancing personal computing.

But the end does not justify the means. That is why I oppose the proposed judgment. Microsoft got to their current dominant position with tactics that I believe (and I think the courts have found) are illegal. I think you have heard many of the examples, so I'll not re-hash them to you.

Looking to the future, my overall concern is that Microsoft will, and has shown by its previous behavior, follow the law only in the most narrow definition to their favor. If given any loophole, they will find it, and will abuse the intent of the law. From what I can tell, the proposed judgment, while clearing stating an intent, leaves plenty of room that Microsoft will abuse.

They will use their position in the desktop operating system to try to dominate other areas. This includes servers (Linux and Solaris), web services and content (.NET initiative), entertainment devices (games and TV), handheld computers (Palm), and countless other markets. That is not to say that these product/services will ultimately be bad - it will just eliminate other possible choices from developing fully. I believe that a competitive market benefits consumers by giving broader choices, better products and lower prices. The technology sector outside of the current Microsoft eco-system will gradually disappear if Microsoft is allowed to expand un-checked.

In a large sense, we are already dependent on Microsoft on being a "benevolent dictator" in the desktop operating system and office productivity space. That is why it is critical to structure the proposed settlement so it does not let Microsoft make unlawful use their current dominant position to expand into other markets.

We need innovation to come from lots of different sources, including Microsoft. Please make changes to the proposed judgment so it provides a level playing field for all players in a competitive marketplace.

Best Regards,

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PS - I also own a small number of shares of Microsoft.